

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ACCEPT REAL PROPERTY AND STRUCTURES LOCATED AT 1120 W. SHORT 17TH STREET IN THE CITY OF NORTH LITTLE ROCK FROM THE COMMISSIONER OF STATE LANDS; AND FOR OTHER PURPOSES.

WHEREAS, on or about February 23, 2009, the City Council of North Little Rock lawfully determined that the buildings and structures located at the address commonly known as 1120 W. Short 17th Street were vacant, run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and declared the same to be a public nuisance through the approval of Resolution No. 7401; and

WHEREAS, the buildings, structures and real property located at 1120 W. Short 17th Street were certified to the State of Arkansas for non-payment of ad valorem real estate taxes and said property was offered for sale at an auction legally held on July 14, 2009, but was not sold; and

WHEREAS, in addition to failing to pay ad valorem real estate taxes owed, the owner of record of the herein-described property has failed and refused to remedy the nuisance conditions lawfully declared to exist under Resolution No. 7401; and

WHEREAS, the City of North Little Rock is authorized to abate said nuisance by removing the vacant and unsafe structures thereon and causing other improvements as required, and to recover the costs for abatement in the manner provided by law; and

WHEREAS, the cost of abatement would greatly exceed the value of the property; and

WHEREAS, on December 28, 2009, the North Little Rock City Council approved Resolution No. 7572 requesting transfer of the subject property from the Arkansas State Land Commissioner in order to pursue grant funds to repair said structure for public use such as a community or recreation facility; said transfer being contingent upon the release of liens by the Bank of America, N.A.; and

WHEREAS, Bank of America, N.A. has released liens against the subject property; and

WHEREAS, in order to continue acquisition of the subject property, the City is required to complete an Application for Donation Deed and authorize the Mayor and City Clerk to execute such documents as are necessary or advisable to accept the donation of the subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Mayor and City Clerk are hereby authorized to forward a Application for Donation Deed to the State Commissioner of Lands for the State of Arkansas that is substantially similar in form and content to the document attached hereto as Exhibit A.

SECTION 2: That the Mayor and City Clerk are hereby authorized to execute such documents as are necessary or advisable to accept the donation of real property from the State of Arkansas that is located at 1120 W. Short 17th Street in the City of North Little Rock, being more specifically described as:

Lots 1, 2, 3, 4 and the North ½ of Lot 5, Block 8,
Maloney's Addition (Parcel No. 33N2530006000) to the
City of North Little Rock, Pulaski County, Arkansas.
(Located at 1120 W. Short 17th Street and owned by
Economy Heat & Air of Arkansas, Inc.)

SECTION 3: That upon acquisition of the property described in this Resolution by the City of North Little Rock, Resolution No. 7401 condemning the same shall be repealed.

SECTION 4: That the provisions of this Resolution are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

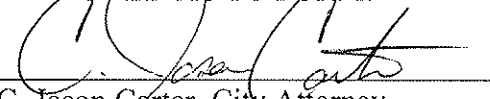
SPONSOR:

ATTEST:


Alderman Maurice Taylor

Diane Whitbey, City Clerk

APPROVED AS TO FORM:


C. Jason Carter, City Attorney

FILED 11:25 A.M. _____ P.M.

BY C. J. Carter

DATE 2-16-10
Diane Whitbey, City Clerk and Collector

North Little Rock, Arkansas

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

RECEIVED by Bobbie Dudley